

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re: : Chapter 11  
: Case No. 09-50002 (SMB)  
Old Carco LLC, *et al.*, : Jointly Administered  
Debtors. :  
: :  
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**STIPULATION AND ORDER**

This Stipulation is entered into this 2nd day of April, 2018 by and among Plaintiffs Frankie Overton, as Administrator of the Estate of Sue Ann Graham, and Scott Graham, as legal guardian of Jordon Graham (together, “Plaintiffs”), in the action *Overton v. FCA US LLC, et al.*, Case No. 01-cv-2017-904376.00, in the Circuit Court for Jefferson County, Alabama (the “Alabama Case”), and FCA US LLC (“FCA US”), by and through their undersigned counsel.

WHEREAS, on March 12, 2018, FCA US filed the *Motion of FCA US LLC, Pursuant to Section 350 of the Bankruptcy Code, Bankruptcy Rule 5010 and Local Bankruptcy Rule 5010-1, to Reopen the Chapter 11 Case of Old Carco LLC for the Limited Purposes of (I) Considering FCA US LLC’s Motion to Enforce the Sale Order and (II) Adjudicating the Transferred Litigation* [Docket No. 8508] (the “Motion to Reopen”);

WHEREAS, on March 12, 2018, FCA US filed its *Motion to Enforce the Court’s Order (I) Authorizing the Sale of Substantially All of the Debtors’ Assets Free and Clear of All Liens, Claims, Interests and Encumbrances, (II) Authorizing the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases in Connection Therewith and Related*

*Procedures and (III) Granting Related Relief* [Docket No. 8510] (the “Motion to Enforce the Sale Order”);

WHEREAS, the Motion to Reopen and the Motion to Enforce the Sale Order are currently scheduled for hearing before the Court on April 10, 2018 at 10:00 a.m. Eastern Time [Docket Nos. 8509, 8511];

WHEREAS, Plaintiffs’ objection deadline for the Motion to Reopen and the Motion to Enforce the Sale Order is currently April 3, 2018 at 4:00 p.m. Eastern Time;

WHEREAS, Plaintiffs and FCA US have agreed to adjourn the hearing date and to a revised briefing schedule on terms as set forth herein.

Accordingly, it is hereby STIPULATED and AGREED by Plaintiffs and FCA US that:

1. With the Court’s permission, the hearing date for the Motion to Reopen and Motion to Enforce the Sale Order shall be adjourned to June 7, 2018 at 10:00 a.m. Eastern Time;

2. Plaintiffs shall file their objections, if any, to the Motion to Reopen and/or the Motion to Enforce the Sale Order on or before May 4, 2018;

3. FCA US shall file its reply memoranda, if any, on or before May 18, 2018;

4. Plaintiffs and FCA US agree to a standstill of the Alabama Case and therefore that no further action shall be taken in the Alabama Case, including with respect to discovery, through the date a hearing is actually held by the Bankruptcy Court with respect to the Motion to Reopen and Motion to Enforce the Sale Order, *provided, however*, FCA US shall serve its responses and objections to Plaintiffs’ pending discovery requests on or before April 17,

2018 as previously agreed, and *provided, further*, FCA US may file a motion to stay the Alabama Case at any time.

Dated: April 2, 2018

/s/ J. Parker Miller

J. Parker Miller  
BEASLEY, ALLEN, CROW,  
METHVIN, PORTIS, & MILES, P.C.  
218 Commerce Street  
Montgomery, Alabama 36104  
Telephone: (334) 269-2343

*Counsel for Plaintiffs Frankie Overton  
and Scott Graham*

/s/ Brian D. Glueckstein

Brian D. Glueckstein  
SULLIVAN & CROMWELL LLP  
125 Broad Street  
New York, New York 10004  
Telephone: (212) 558-4000

*Counsel for FCA US LLC*

**SO ORDERED: April 4, 2018**

/s/ STUART M. BERNSTEIN

**THE HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE**